

FEB. 28. 2007 3:36PM

CALFEE HALTER GRISWOLD

**BEST AVAILABLE COPY**

NO. 4060 P. 1

RECEIVED  
CENTRAL FAX CENTER

Facsimile Cover

**CALFEE**

**FEB 28 2007**

Date: February 28, 2007  
To: USPTO  
Fax Number: 571-273-8300  
Send Only to the Above Fax Number:  
Confirmation Phone Number:

From: Pamela A. Docherty  
Direct Dial Phone Number: 216.622.8416

Client Number: 26473 Matter Number: 04177 Client Name: CCF

Number of Pages: 12

Message:  
In re application of:  
Hazen, et al.

Serial No.: 10/039,753

Filed: January 2, 2002

For: **MYELOPEROXIDASE,  
A RISK INDICATOR FOR  
CARDIOVASCULAR DISEASE**

Examiner: Saunders, David A.

Art Unit: 1644

Confirmation No.: 9142

Attorney Docket No.: 26473/04177

Please acknowledge receipt of the following:

- Facsimile Cover Sheet (1 page)
- Transmittal Form (1 page) in duplicate
- Response to Second Advisory Action (9 pages)

This facsimile transmission contains confidential and/or legally privileged information from the law firm of Calfee, Halter & Griswold LLP intended only for the use of the individual(s) named on the transmission sheet. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile transmission is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately so that we can arrange for the return of the documents to us at no cost to you.

If there is a problem with this transmission, please contact the Fax Department at: 216.622.8426, 216.622.8427, or 216.622.8428. Facsimiles can be received 24 hours per day, 7 days a week at 216.241.0816. Thank You.

Fax Operator's Initials:

Sent By: lm  
Time: 326

Logged By: \_\_\_\_\_  
Time: \_\_\_\_\_

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 12

Application Number	10039753
Filing Date	January 2, 2002
First Named Inventor	Hazen, et al.
Art Unit	1644
Examiner Name	Sawders, David A.
Attorney Docket Number	26473/04177

RECEIVED  
CENTRAL FAX CENTER

FEB 28 2007

## ENCLOSURES (Check all that apply)

- Fee Transmittal Form  
 Fee Attached  
 Amendment/Reply  
 After Final  
 Affidavits/declaration(s)  
 Extension of Time Request  
 Express Abandonment Request  
 Information Disclosure Statement  
 Certified Copy of Priority Document(s)  
 Reply to Missing Parts/ Incomplete Application  
 Reply to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation  
 Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_  
 Landscape Table on CD

- After Allowance Communication to TC  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Other Enclosure(s) (please identify below):  
 Facsimile Cover Sheet

## Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature	Pamela A. Docherty		
Printed name	Pamela A. Docherty	Reg. No.	40,591
Date	February 28, 2007		

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	Patricia Lewis	Date	February 28, 2007
Typed or printed name	Patricia Lewis		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEB. 28. 2007 3:37PM

CALFEE HALTER GRISWOLD

NO. 4060 P. 3

Customer Number

24024

RECEIVED  
CENTRAL FAX CENTER

FEB 28 2007

CERTIFICATE OF FACSIMILE TRANSMITTAL  
I hereby certify that this Response to Second Advisory Action is being  
faxed to FAX NUMBER: 571-273-8300 on this 28th day of  
February, 2007.

Attention: Dr. Saunders, David A.  
Typed or Printed name of person signing this certificate:  
Patricia Lewis

Signed: Patricia Lewis

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Hazen, et al.

) Examiner: Saunders, David A.

Serial No.: 10/039,753

) Art Unit: 1644

Filed: January 2, 2002

) Confirmation No.: 9142

For: **MYELOPEROXIDASE,  
A RISK INDICATOR FOR  
CARDIOVASCULAR DISEASE**

) Attorney Docket No.: 26473/04177

Fax Number 571-273-8300  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RESPONSE TO SECOND ADVISORY ACTION

Dear Sir:

The following is responsive to the Second Advisory Action mailed February 21, 2007. Please  
amend the above-described application as follows:

There are no amendments to the specification.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 9 of this paper.